

Decision \_\_\_\_\_

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company to Determine Violations of Public Utilities Code Section 451, General Order 112, and Other Applicable Standards, Laws, Rules and Regulations in Connection with the San Bruno Explosion and Fire on September 9, 2010.

Investigation 12-01-007  
(Filed January 12, 2012)

**ORDER EXTENDING STATUTORY DEADLINE****Summary**

This decision extends the statutory deadline in this proceeding to February 24, 2016.

**1. Background**

Public Utilities Code Section 1701.2(e) provides that adjudicatory cases shall be resolved within 12 months of the date that they are initiated unless the Commission makes findings as to why that deadline cannot be met and issues an order extending that deadline. This matter has been categorized as adjudicatory and the 12-month deadline for its resolution had been January 12, 2013. The statutory deadline for this proceeding has been extended three times, most recently by Decision (D.) 14-12-044 to January 12, 2016. This decision extends the statutory deadline to February 24, 2016.

On April 9, 2015, the Commission issued D.15-04-23 which resolved the alleged violations in this proceeding. Additionally, a coordinated decision (D.15-04-024) concerning fines and remedies was issued in this proceeding, as well as in Investigation (I.) 11-02-016 and I.11-11-009. These two decisions resolved all issues identified in the Order Instituting Investigation. However, the proceeding remained open to address two motions filed by the City of San Bruno to issue an order to show cause and impose sanctions against Pacific Gas and Electric Company in connection with alleged violations of Rule 8.3 of the Commission's Rules of Practice and Procedure regarding ex parte communications.<sup>1</sup>

On November 23, 2015, the Commission issued *Order Instituting Investigation and Ordering Pacific Gas and Electric Company to Appear and Show Cause Why It Should Not Be Sanctioned for Violations of Article 8 of the Rules of Practice and Procedure Concerning Communications with Decisionmakers and Advisors* (Investigation 15-11-015). This investigation will include, among other things, consideration of the two motions filed by the City of San Bruno.

On December 2, 2015, the assigned Administrative Law Judge (ALJ) issued a proposed decision finding that all outstanding issues have been addressed and closing this proceeding. Pursuant to Pub. Util. Code § 311(d), the proposed decision to close the proceeding is subject to a 30-day comment period. In order to provide the Commission time to review and vote on the proposed decision, an additional extension of the statutory deadline is necessary.

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<sup>1</sup> These motions were also filed in I.11-02-016 and I.11-11-009.

## 2. Waiver of Comment Period

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of proposed decisions extending the deadline for resolving adjudicatory proceedings. Accordingly, pursuant to this rule, the otherwise applicable period for public review and comment is waived.

## 3. Assignment of Proceeding

Michael Picker is the assigned Commissioner and Amy C. Yip-Kikugawa is the assigned ALJ in this proceeding.

## Findings of Fact

1. This proceeding was initiated on January 12, 2012.
2. Based upon the statutory deadline, this proceeding must be resolved within 12 months of its initiation, unless this date is extended.
3. Decision 14-12-044 extended the statutory deadline for this proceeding to January 12, 2016.
4. Decisions resolving all issues in the Order Instituting Investigation were issued on April 9, 2015.
5. The proceeding remained open to address motions filed by the City of San Bruno.
6. On November 23, 2015, the Commission issued *Order Instituting Investigation and Ordering Pacific Gas and Electric Company to Appear and Show Cause Why It Should Not Be Sanctioned for Violations of Article 8 of the Rules of Practice and Procedure Concerning Communications with Decisionmakers and Advisors* (Investigation 15-11-015).
7. I.15-11-015 will include, among other things, consideration of the two motions filed by the City of San Bruno.

8. A proposed decision to close this proceeding was issued on December 2, 2015.

9. An additional extension of the statutory deadline is necessary in order for the Commission to consider and vote on the proposed decision in accordance with Pub. Util. Code § 311(d).

**Conclusions of Law**

1. The statutory deadline imposed by Pub. Util. § 1701.2(e) should be extended to February 24, 2016.

2. This order should be effective immediately.

**IT IS ORDERED** that the 12-month statutory deadline in this proceeding is extended to February 24, 2016.

This order is effective today.

Dated \_\_\_\_\_, at San Francisco, California.